

## LEGISLATIVE BUSINESS

THE KARNATAKA SHOPS AND COMMERCIAL  
ESTABLISHMENTS (AMENDMENT) BILL, 1982.*Motion to Consider*

SRI A.B. JAKANUR (Minister for Labour).—Sir, I beg to move:

..That the Karnataka Shops and Commercial Establishments (Amendment) Bill, 1982 be taken into consideration."

*The question was proposed*

SRI A.B. JAKANUR.—Sir, this is a very simple amendment proposed to be brought to the Karnataka Shops and Commercial Establishments (Amendment) Act. On the suggestions made by the Union Finance Minister to give exemption to Commercial Banks from the purview of this Act, and since the bank employees are enjoying better working service conditions, amendment to Section 2, 3(1) of the principal Act is proposed. As it is there is no provision to give exemption to commercial banks. Therefore this amendment. The next point is, in the budget speech, the Hon. Finance Minister indicated that in the interest of revenue and better enforcement of the provisions of the Act, annual renewal of registration of shops and commercial establishment should be provided. It is therefore proposed to bring amendment to Section 4 of the principal Act by inserting sub-section 4 and 5 which enables renewal of shops and establishment registration every year on payment of such fee as may be prescribed. Then, by this renewal system, there would be an additional revenue of about Rs. 82 lakhs and anticipated expenditure would be about Rs. 13,16,320 for printing, stationery and establishment charges. If this renewal system is introduced, it will be better to see whether they have followed the procedures etc., and that will also give an additional revenue to the State Government. Therefore I request the hon. members to pass this Bill.

SRI A. LAKSHMISAGAR.—Sir, I must oppose this Bill.

SRI R. GUNDU RAO.—Time is short. This is not the way of opposing the Bill. If you want to oppose it for opposition sake, you oppose it.

SRI A. LAKSHMISAGAR (Chickpet).—Mr. Speaker, the anticipated income according to the Hon. Minister is about Rs. 82 lakhs in a financial year and the expenditure, we do not know. Anticipated expenditure on establishment is there. What exactly would be the expenditure, we do not know. If there is anything other than what is mentioned here, I would welcome. The point here is, in the

interest of revenue, annual renewal of licences if being provided for. My first submission is, the anticipated income is very small and therefore it should not be insisted upon. The reason for opposing this bill is that this measure would result in better conditions of service for employer. How renewal of licences of shops and commercial establishments would result in better conditions of service to the employees in those commercial establishment, I cannot understand. The shops and commercial establishment act and the rules framed there under provides for various measures under which the employer has got to supply to the department every year a statement containing certain information viz., change of employer change in the number of employees, whether the business is sold or otherwise disposed of and the change in nomenclature. All these provisions are already there. I have handled certain cases arising out of the Act and I have had occasions to go through the provisions some years ago. I am only recalling to my mind what is the position with regard to functioning or working of this Act. The only two reasons for bringing forward this amending Bill is that it helps Government to collect revenue and it provides for better conditions of service to employees, how, I do not know. Under the parent Act, every shop and commercial establishment is compulsory registrable. Once registered it does not call for renewal at all. What you are doing is, you have provided annual renewal. It only leads to irritation and corruption at all levels. I know the manner in which the licencees in other sectors like power licensing and others, who are to renew their licences every year under the Corporation Act. I know their conditions. What an amount of harassment they are subjected to, I know. Therefore, it does not serve. We are only trying to collect Rs. 82 lakhs and you want to subject all commercial and shops establishments in the entire State of Karnataka to harassment, irritation and corruption. Is it your intention? If the income there from is sizeable one, I can understand. You are going to harass. Even as it is they are subjected to continuous harassment and it will be an annual feature and there will be no respite and they will not be able to attend to their business at all. The last submission, therefore is kindly withdraw this. It will not serve the purpose for which the Bill is intended. It will have the reverse effect. Why do you want to amend Section 2 of the Act? It is there in the parent Act. The commercial establishments mean a commercial or trading banking establishments. It is already there. Any banking company under the renewal of the banking companies act, is already covered under Section 2 of the definition. Why do you want the definition expanded? Is there a judgment of the Court which has

taken away the powers of the authorities from bringing the banking institutions under the purview of the provisions of the shops and commercial establishment Act, 1961? There is no such judgement. These are reasons on which I am opposing, more on humanitarian grounds. It causes more harm than good to the traders.

ಶ್ರೀ ಎ. ಬಿ. ಜಕನೂರು.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಮಾನ್ಯ ವಿರೋಧ ಪಕ್ಷದ ನಾಯಕರು ಇನ್‌ಕ್ ಅಂಟಿ-ಬರತಕ್ಕಂಥಾದ್ದು ಬಹಳ ಕಡಿಮೆಯಾಗುತ್ತದೆಂದು ಹೇಳಿದ್ದಾರೆ. ಉಲಕ್ಷ ರೂಪಾಯಿಗಳ ಅಂದಾಜು ಮಾಡಿದ್ದೇವೆ. ಸುಮಾರು ಒಂದೆರಡು ಕೋಟಿಯಾದರೂ ಮಾಡಬೇಕೆಂದು ಹೇಳಿದ್ದಾರೆ; ಮಾಡಬಹುದು. ನಮ್ಮ ಒಂದಾಜಿನ ಪ್ರಕಾರ ಹೆಚ್ಚು ಗುತ್ತದೆಯೇ ಹೊರತು ಕಡಿಮೆಯಂತೂ ಆಗುವುದಿಲ್ಲ. ಪ್ರಸೆಂಟ್ ಆಕ್ಟ್ ಕೆಳಗೆ ಹೋಟೆಲುಗಳಿಗೆ ಸಣ್ಣ ಪುಟ್ಟ ಅಂಗಡಿಗಳಿಗೆ ೧೦ ರೂಪಾಯಿ ಇಲ್ಲಿ ರಿಜಿಸ್ಟ್ರೇಷನ್ ಮಾಡಿದರೆ ಸಾಕು. ಇನ್ನು ಸರ್ವಿಸ್ ಕಂಡೀಷನ್ಸ್ ಬಗ್ಗೆ ಹೇಳಿದ್ದಾರೆ. ಎಷ್ಟು ಜನ ಲೇಬರ್‌ಸ್ ಇಟ್ಟುಕೊಳ್ಳುತ್ತಾರೆ ಎನ್ನುವ ಬಗ್ಗೆ ಹೋಗುತ್ತದೆ. ಒಂದು ಸಾರಿ ರಿಜಿಸ್ಟ್ರೇಷನ್ ಮಾಡಿಸಿದ ಮೇಲೆ. ಅವರ ಯಾವ ರೀತಿಯಲ್ಲೂ ತಪ್ಪು ಸಿಕ್ಕೊಳ್ಳುವುದಕ್ಕೆ ಅವಕಾಶವಾಗುವುದಿಲ್ಲ. ಸೇಲ್ಸ್ ಟ್ಯಾಕ್ಸ್ ಕ್ಲಿಯರ್ ಮಾಡಿದ್ದಾರೆಯೇ ಇಲ್ಲವೆಂದು ರಿನ್ಯೂವಲ್ ಸಂದರ್ಭದಲ್ಲಿ ನೋಡುತ್ತಾರೆ. ಎಲ್ಲಾ ಡಿಪಾರ್ಟ್‌ಮೆಂಟ್‌ನಲ್ಲಿಯೂ ರಿನ್ಯೂವಲ್ ಸಿಸ್ಟಂ ಇದೆ. ಇದರಲ್ಲಿ ಮಾತ್ರ ಇಲ್ಲ. ನಮ್ಮ ಸ್ಟೇಟ್‌ನ ಸೆಕ್ಷನ್ ೨ಕ್ಕೆ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಮಾಡಿ ಎಂದು ಹೇಳಿದ್ದಾರೆ, ಇದರ ಅವಶ್ಯಕತೆ ಇಲ್ಲ. ಸೆಕ್ಷನ್ ೩ ನೋಡಿ, ರಿಸರ್ವ್ ಬ್ಯಾಂಕ್ ಮಾತ್ರ ಎಕ್ಸ್‌ಮೇಷನ್ ಕೊಡುವುದಕ್ಕೆ ಬರುತ್ತೆ. ಸರ್ಕಾರ ಕೊಡುವುದಕ್ಕೆ ಬರುವುದಿಲ್ಲ. ಸೆಕ್ಷನ್ ೩ರಲ್ಲಿ ವಿವರವಾಗಿ ಹೇಳಿದೆ. for the words 'Reserve Bank' the words 'Banking Company' shall be substituted. It includes Reserve Bank.

SRI P. RAMDEV.—Banking means, exempting for the purpose of lending or investing or depositing of moneys from the public repayable on demand, or otherwise. That is the definition of banking.

SRI Y. RHMAKRISHNA.—It has been cleared on page 2.

SRI A. B. JAKANUR.—There are certain acts.....

SRI A. LAKSHMISAGAR.—You have not made a mention of the renewal fee. What is the range of renewal fee? What is the rationale that you are going to adopt for the purpose of fixing of the renewal fee?

ಶ್ರೀ ಎ. ಬಿ. ಜಕನೂರು.—ಮಾನ್ಯ ಸದಸ್ಯರು ಗಮನಿಸಿಲ್ಲ. ರಿನ್ಯೂವಲ್ ಫೀ ಎಂದು ಹೇಳುವುದಕ್ಕೆ ಬರುವುದಿಲ್ಲ. ರೂಲ್ಸ್ ಮಾಡುವ ಮುನ್ನ ನೋಟೀಸ್ ಮಾಡುತ್ತೇವೆ, ಅಬ್ಲಿಕ್ಷನ್ ಕಾಲ್‌ಫರ್ ಮಾಡುತ್ತೇವೆ. ಇಷ್ಟು ಜನ ಲೇಬರ್ಸ್ ಇದ್ದರೆ, ಇಷ್ಟು ಅಮೆಂಟ್ ಎಂದು ಗೊತ್ತು ಮಾಡಲಾಗುವುದು, ಎಲ್ಲವನ್ನೂ ಸಭೆಯ ಮುಂದಿಡುತ್ತೇನೆ.

MR. SPEAKER.—The question is :

“That the Karnataka Shops and Commercial Establishments (Amendment), Bill, 1982 be taken into consideration.”

*The motion was adopted*

CLAUSE No. 2 TO 4.

MR. SPEAKER.—The question is :

“That Clauses 2 to 4, both inclusive, do stand part of the Bill.”

*The motion was adopted*

*Clauses 2 to 4 oth inclusive were added to the Bill*

CLAUSE 1, etc

MR. SPEAKER.—The question is :

“That Clause 1, the Long Title, the Preamble and the Enactin Formula do stand part of the Bill.”

*The motion was adopted*

*Clause 1, the long Title, the Preamble and the Enacting Formula were added to the Bill.*

*Motion to pass*

SRI A. B. JAKANUR.—Sir, I beg to move :

That the Karnataka Shops and Commercial Establishments (Amendment) Bili, 1982 be passed.”

MR. SPEAKER.—The question is :

“That the Karnataka Shops and Commercial Establishments (Amendment) Bili, 1982 be passed.”

*The Motion was adopted and the Bill was passed*

ANNOUNCEMENT

MR. SPEAKER.—I have received the following message from the Chairman, Legislative Council.

“As required by Rule 106 of the Rules of Procedure and Conduct of Business in the Karnataka Legislative Council, I send herewith the Karnataka Appropriation (No.6) Bill, 1982 which has been agreed to by the Legislative Council on 30th July, 1982 without amendment”

The Karnataka Highways (Amendment) Bill, 1982 has been referred to the Joint Select Committee. I have one announcement to make for the members of Joint Select Committee. Following Members are the Members of the Joint Select Committee.